

REMARKS

Claims 1 through 6 were presented for examination. Claim 1 has been rejected under 35 USC 112, second paragraph, as being incomplete for meeting essential elements, i.e., the compounds or components that make up the composition. Claims 1 through 6 have been rejected under 35 USC 103(a) as being unpatentable over WO 00/33407. The Examiner's rejections are respectfully traversed.

Claim 1 has been amended to insert a description of the fuel cell engine coolant as 1,3-propane diol. The Applicants assert that this amendment overcomes the Section 112 rejection. Claim 2 has been canceled.

The obviousness rejections of claims 1 and 6 are based on the fact they found the same omission as the Section 112 rejection. Since the claims have been amended to recite that the coolant is comprised of 1,3-propane diol, the Applicants assert that this part of the Section 103 rejection has been overcome.


The other part of the Section 103 rejection is based on the disclosure in the reference at page 16, lines 29-31, that protic liquids, such as various alcohols, diols and polyols may also have some or all of the desirable characteristics set out herein, and may thus be suitable heat transfer liquids in some circumstances. The Applicants asserts that this extremely vague sentence is not sufficient to suggest that 1,3-propane diol can be used to make a nontoxic fuel cell engine coolant having all of the characteristics set out in claim 1. There is not even a definite statement that the described materials will have some or all of the desirable characteristics--it merely states that maybe they will. The Applicants assert that this is insufficient disclosure to make a case for obviousness of the claims as amended.

Certainly, the cited reference does not disclose the preferred and most preferred embodiments of the present invention as described in claims 4 and 5, i.e., the preferred amounts of 1,3-propane diol used in the aqueous solution of claim 3. The examples support the conclusions that the most preferred embodiment of the present invention is indeed preferred--see Example 4.

The Applicants assert that the rejections have been overcome by the claim amendments and the above argument. An early notice of allowance is respectfully requested.

Respectfully submitted,

EDWARD R. EATON, WYNDHAM H. BOON,
and CHRISTOPHER J. SMITH

By 

Their Attorney, Donald F. Haas
Registration No. 26,177
(713) 241-3356

P.O. Box 2463
Houston, Texas 77252-2463